

# PUBLIC NOTICE

**US Army Corps  
of Engineers®**

APPLICATION FOR PERMIT

*LOS ANGELES DISTRICT*

**Public Notice/Application No.:** 200301139-DPS

**Comment Period:** 06/13/2003 through 06/27/2003

**Project Manager:** Daniel P. Swenson (213) 452-3414 [daniel.p.swenson@usace.army.mil](mailto:daniel.p.swenson@usace.army.mil)

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**Applicant**

David Baillie  
Department of the Navy  
Naval Weapons Station Seal Beach  
800 Seal Beach Blvd.  
Seal Beach, California 90740-5000

**Contact**

Hiphil Clemente  
Department of the Navy  
Naval Facilities Command, Southwest Division  
1220 Pacific Highway  
San Diego, California 92132-5190

**Location**

The proposed project would take place at Naval Weapons Station, Seal Beach, which is located at the mouth of Anaheim Bay, in Seal Beach, Orange County, California. (at: lat:33-44-0.6000 lon:118-5-19.5360)

**Activity**

The Navy has proposed to construct a 110-foot long by 20-foot wide boat ramp within the Naval Weapons Station in Seal Beach, Orange County, California. The ramp would permanently impact approximately 0.11 acre of non-wetland waters of the U.S. through excavation of 280 cubic yards (cy) of fill and 30 cy of existing riprap, and the placement of 275 cy of sand/gravel, 100 cy of ¼-ton riprap, and 65-110 cy of concrete (see Figures 1 and 2). Project efforts are scheduled to occur between October and December 2003 and are estimated at ten weeks. For more information see page 3 of this notice.

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-200301139-DPS  
P.O. Box 532711  
Los Angeles, California 90053-2325

Alternatively, comments can be sent electronically to: [daniel.p.swenson@usace.army.mil](mailto:daniel.p.swenson@usace.army.mil)

## **Evaluation Factors**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

## **Preliminary Review of Selected Factors**

**EIS Determination**- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

**Water Quality**- The Navy has sent a water quality application and supporting documentation to the California Regional Water Quality Control Board (CRWQCB) requesting Waste Discharge Requirements (WDR) and water quality certification, under Section 401 of the CWA on June 5, 2003. It is anticipated that the CRWQCB will act on the action in July 2003. Prior to permit issuance, Section 401 requires that any applicant requesting an individual permit under Section 404 provide proof of water quality certification to the Corps. Upon receipt of a water quality certification, the Corps may make a permit decision.

**Coastal Zone Management (CZMA)**- The Navy has certified that the proposed activity complies with and shall be conducted in a manner that is consistent with the CZMA. The Navy sent the Negative Determination and supporting documentation to the California Coastal Commission (CCC) on June 5, 2003 requesting a concurrence on the findings. It is anticipated that the CCC will act on the action in July 2003. Prior to permit issuance, the CZMA requires that any applicant requesting an individual permit under Section 404 provide proof of consistency to the Corps. Upon receipt of a consistency determination, the Corps may make a permit decision. The District Engineer (DE) hereby requests the CCC's concurrence on the project findings. Upon receipt of a consistency certification, the Corps may make a permit decision.

**Cultural Resources**- The latest version of the National Register of Historic Places (NRHP) and/or other applicable sources have been reviewed to determine if any cultural resource sites exist in the project area; no sites have been identified with potential resource significance. In addition, the SHPO has sent the Navy a letter stating that the proposed project would have no effect on historic properties (cultural resources), dated March 17, 2003. This review constitutes the extent of cultural resource investigations by the DE, and he is otherwise unaware of the presence of such resources. If cultural resources are discovered prior to or during construction and cannot be avoided, work will be suspended in that area until findings are evaluated for eligibility for listing

in the NRHP by the Corps, the Navy, and the State Historical Preservation Office. Following, work efforts will be modified in accordance with 36 CFR 800.13, if warranted.

**Endangered Species-** The California least tern, *Sterna antillarum browni*, and the California brown pelican, *Pelecanus occidentalis californianus*, may use the overall area for foraging. However, as construction activities are scheduled to occur outside the breeding season for the California least tern, project activities would not affect behavioral patterns of the California least tern. Even though the California brown pelican resides in the area, impacts are not predicted on the species. It is not predicted that foraging activity would be disrupted due to project impacts. For example, construction noise is similar to activities that currently occur in the area and would only create a temporary, new source with a negligible increase in ambient noise. Water quality impacts would be short-lived and minimal; water quality impacts would not affect pelican foraging opportunities. Therefore, preliminary determinations indicate that project activities will have no effect on Federal-listed species or their critical habitat protected under the ESA and Consultation, pursuant to Section 7 of the ESA, is not required. If construction is modified from the proposal presented herein to occur in a manner that “may affect” federal listed species (and/or their critical habitat), then consultation with the U.S. Fish and Wildlife Service (USFWS) will be required pursuant with the ESA.

**Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) - Essential Fish Habitat (EFH)-** This notice initiates the EFH consultation requirements of the Act. The predicted project impacts would not be expected to have a substantial adverse impact on EFH or Federally managed fisheries in California waters. Although short-term impacts might occur during construction due to water quality, impacts would be short lived and not significantly impact existing biotic resources. Eelgrass was surveyed and mapped in the region. Based on the existing location of the beds, the project would not affect them. Therefore, it is our initial determination that the proposed activity will not have a substantial adverse impact on EFH or federally managed fisheries in California waters. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NOAA Fisheries.

**Public Hearing-** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

### **Proposed Activity for Which a Permit is Required**

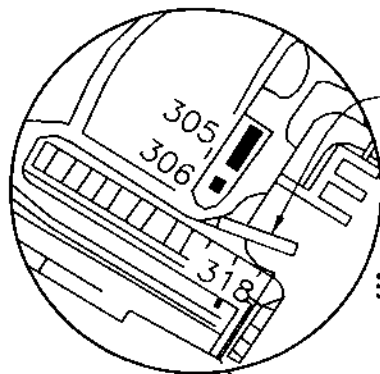
The Navy has requested authorization to place up to a maximum of 485 cubic yards of fill over 0.11 acre of navigable waters of the U.S. to construct a boat ramp at the Naval Weapons Station at Seal Beach. Site construction diagrams are presented on Figures 1 and 2.

### **Additional Project Information**

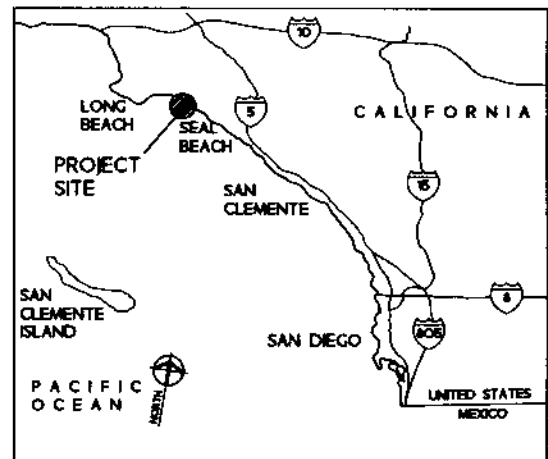
The proposed boat ramp would be approximately 110 feet long and 20 feet wide. Approximately 80 feet of the boat ramp would occur within Corps jurisdiction, constituting approximately 0.110 acres (4,791 square feet). Work would include excavation of approximately 280 cubic yards (cy) for site preparation. Approximately 275 cy of new fill material (sand and gravel) and 100 cy of ¼-ton riprap would be deposited within Corps jurisdiction. Additionally, 30 cy of rocks from the existing riprap would be removed and reused for the new riprap. The riprap would be placed on geofabric liner. The rock base for the boat ramp would total approximately 55 cy. Two options for the boat ramp construction are being considered. Either the ramp would be entirely cast-in-place (approximately 110 cy), or the footing would be cast-in-place (45 cy) and the rest of the ramp would be precast (65 cy). Temporary structures which would be removed upon completion of the project may include 130 linear feet of steel sheet pile cofferdam and 130 linear feet of timber forms for the concrete. Construction material would be disposed of at approved sites and in accordance with applicable local, state, and federal regulations. Equipment may include a land crane for work closer to shore and a barge with a crane for excavation and deposit of fill and rock base.

**Proposed Special Conditions** The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

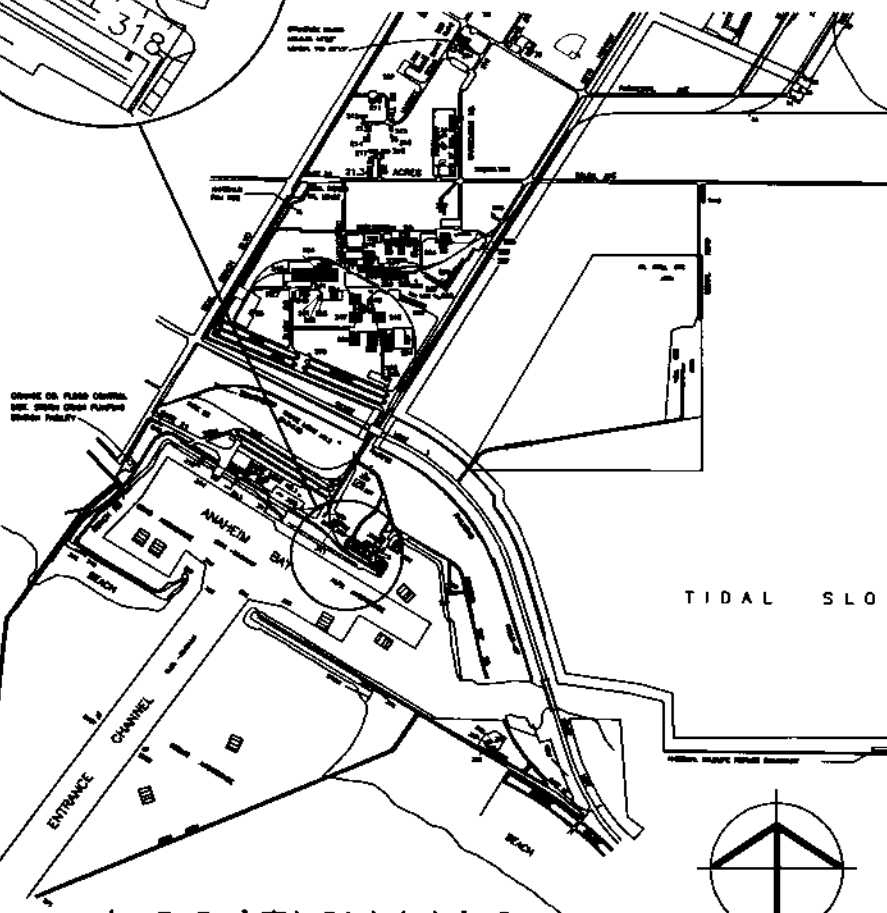
For additional information please call Daniel P. Swenson of my staff at (213) 452-3414. This public notice is issued by the Chief, Regulatory Branch.



PROPOSED  
RAMP  
LOCATION



VICINITY MAP  
N.T.S.



LOCATION MAP  
N.T.S.



**Blaylock  
Engineering  
Group**

**STRUCTURAL ENGINEERS**  
1775 Hancock St, Suite 250  
San Diego, California 92110  
Phone (619) 543-4719  
FAX (619) 543-0667

**BOAT RAMP SEAL BEACH  
SAN DIEGO, CALIFORNIA**

**LOCATION & VICINITY MAP**

Date: MAY 2003

FIGURE No. 1

## LEGEND:

INDICATES PROJECTED  
AREA BELOW +7.1 FT MLLW

INDICATES AREA  
OF CUT - MAX  
2:1 SLOPE

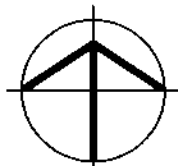
FIGURE 4

INDICATES AREA  
OF RIPRAP  
PLACEMENT

INDICATES AREA  
OF CUT - MAX  
2:1 SLOPE

EXISTING PIER

INDICATES AREA  
OF FILL - MAX  
2:1 SLOPE



NORTH

## NEW RAMP PLAN

1" = 30'

1"=30' 0 15 30 60 FT



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**BOAT RAMP SEAL BEACH  
SAN DIEGO, CALIFORNIA**

## **NEW RAMP PLAN**

Date: MAY 2003

FIGURE No. 2